

SEWER EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I, Brenda C. Jinkins, hereinafter referred to as "Grantor", do hereby grant, bargain, sell and convey unto the City of Olive Branch, its successors and assigns, hereinafter referred to as "Grantee", the right, privilege and easement at any time and from time to time to construct, maintain, inspect, operate, protect, repair, replace, change the size of, or remove a pipeline, pipelines and other appurtenances for operation of the City Sewage System, within the confines of an area described in Exhibit 1, which is attached hereto and made a part hereof as if fully copied herein, together with reasonable access thereto.

TO HAVE AND TO HOLD said easement and reasonable access thereto unto said Grantee, its successors and assigns temporarily, where noted, and permanently, where noted in Exhibit 1.

It is agreed that the pipeline or pipelines to be laid under this grant shall be constructed at sufficient depth below the surface of the ground to permit normal cultivation, and Grantor shall have the right to fully use and enjoy the above described premises, subject to the rights herein granted.

As additional consideration it is agreed that Grantor shall be entitled to receive a waiver of one sewer tap on the property over which this Easement is granted.

Grantee shall have the right to clear and keep clear all trees, undergrowth and other obstructions from the herein granted easement, and Grantor agrees not to build, construct or create, nor permit others to build, construct or create any buildings or other structures on the herein granted easement that will interfere with the normal operation and maintenance of the said line or lines.

Grantor hereby expressly agrees that in the event the route of the pipeline to be constructed hereunder should cross any roads, railroads, creeks, rivers or other waterways located on the above described land or other places requiring extra working space, Grantee shall have the right and temporary access to additional working space which may be necessary for construction.

Grantor represents that the above described land is not rented at the present time.

The terms and conditions hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, devisees, successors, trustees or assigns of the parties hereto, and the rights herein granted may be assigned in whole or in part.

IN WITNESS WHEREOF the said Grantor has hereunto set her hand and seal, this 15 day of September, 2001.

Brenda C Jinkins
BRENDA C. JINKINS

Witnessed By

T. J. [Signature]

STATE OF MISSISSIPPI - DESOTO CO.
FILED

APR 26 4 17 PM '02

BK 417 PG 623
W.F. DAVIS CH. CLK.

APPROVED AND ACCEPTED by the
City of Olive Branch

By: Samuel P. Rikard
SAMUEL P. RIKARD, MAYOR



ATTEST:
Judy C. Herrington
JUDY C. HERRINGTON, CITY CLERK

STATE OF MISSISSIPPI

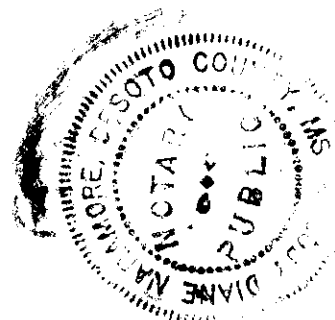
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this 1st day of October, 2001, within my jurisdiction, Jim Bentley, one of the subscribing witnesses to the above and foregoing instrument, who, being first duly sworn, states that he saw the within named Brenda C. Jenkins, whose name is subscribed thereto, sign and deliver the same to the City of Olive Branch; and that the affiant subscribed his name as witness thereto in the presence of same.

Witness [Signature]

Judy Diane Naramore
NOTARY PUBLIC

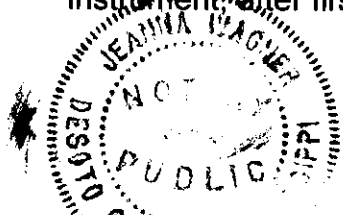
My Commission Expires:
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 19, 2005
BONDED THRU STEGALL NOTARY SERVICE



STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state on this 15th day of April, 2002, within my jurisdiction, the within named Samuel P. Rikard and Judy C. Herrington, who acknowledged that they are the Mayor and City Clerk, respectively, of the City of Olive Branch, and that in said representative capacity they executed the above and foregoing instrument, after first having been duly authorized so to do.



Jeanna Wagner
NOTARY PUBLIC

My Commission Expires:

My Commission Expires May 20, 2003

PREPARED BY AND RETURN TO: Gary P. Snyder, Watkins Ludlam Winter & Stennis, P.A.,
P.O. Box 1456, Olive Branch, MS 38654, 662-895-2996.

**BRENDA C. JINKINS
DEED BOOK 275, PAGE 263**

EXHIBIT 1

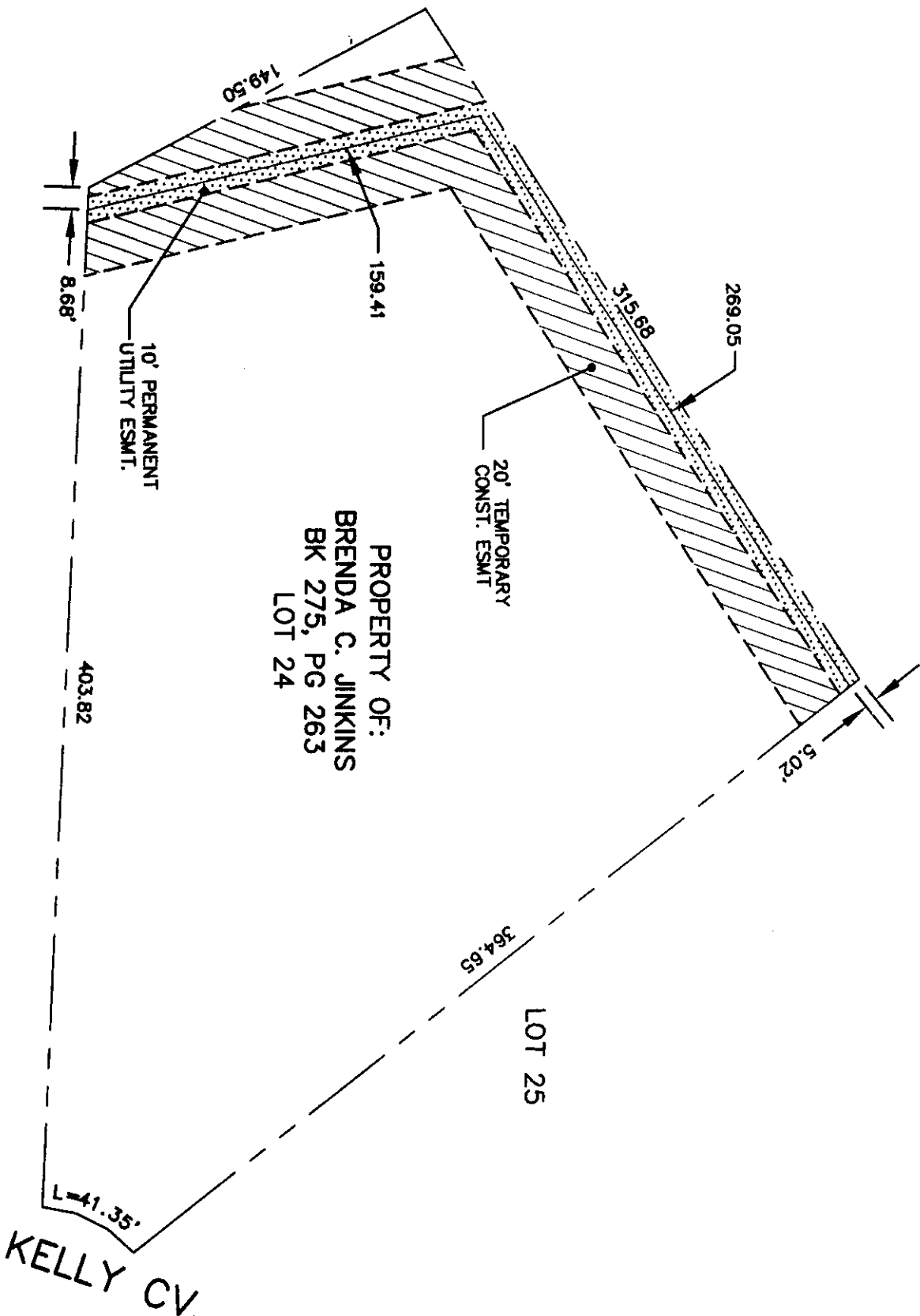
Being a portion of Lot 24, Section "B", Payne Flynn Subdivision, lying in Section 8, Township 2 South, Range 6 West, City of Olive Branch, Desoto County, Mississippi, as recorded in Plat Book 37, Pages 18-19, in the office of the Chancery Clerk of Desoto County, Mississippi, and being more particularly described as follows:

PERMANENT UTILITY EASEMENT

Being a 10 foot wide strip of land having a center line described as follows: Beginning at a point, said point being approximately 5.02 feet south of the northeast corner of subject property as measured along the east line of subject property; thence in a westerly direction parallel to the north line of subject property a distance of approximately 269.05 feet to a point; thence in a southerly direction a distance of approximately 159.41 feet to a point on the southwest line of subject property, said point being approximately 8.68 feet southeast of the southwest corner of subject property as measured along said southwest line and containing 4,239 square feet more or less.

TEMPORARY CONSTRUCTION EASEMENT

Being a 20 foot wide strip of land parallel and adjacent to the south, east and west sides of the above described permanent utility easement and containing 10,813 square feet more or less.



PROPERTY OF:
BRENDA C. JINKINS
BK 275, PG 263
LOT 24



SCALE: 1" = 60'

EASEMENT REQUIRED:

UNENCUMBERED: PERM: 4,239 S.F.
TEMP: 10,813 S.F.
ENCUMBERED: PERM: 0.0 S.F.
TEMP: 0.0 S.F.

EXHIBIT NO. 1
SHEET 1 OF 1

THE CITY OF OLIVE BRANCH, MISSISSIPPI
DESOTO COUNTY
PAYNE PARK SEWER IMPROVEMENT

UTILITY EASEMENT

PREPARED BY: F&A BK. 263, PG. 643 TRACT: LOT 24
DRAFTSMAN: J.A.M. DATE: NOV., 2000

THIS PROPERTY IS LOCATED IN SECTION 8
TOWNSHIP 2 SOUTH, RANGE 6 WEST
DESOTO COUNTY, MISSISSIPPI

NO.	DESCRIPTION	DATE	BY
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FILE:

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